

## Oklahoma Statutes Citationized

### Title 59. Professions and Occupations

#### Chapter 8 - Pharmacy

#### Oklahoma Pharmacy Act

#### Section 353.7 - Powers and Duties of Board

Cite as: O.S. §, \_\_\_

The State Board of Pharmacy shall have the power and duty to:

1. Regulate the practice of pharmacy;
2. Regulate the sale of drugs, medicines, chemicals and poisons;
3. Regulate the dispensing of drugs and medicines in all places where drugs and medicines are compounded and/or dispensed;
4. Enter and inspect, by its members or by its duly authorized representatives, any and all places, including premises, equipment, contents and records, where drugs, medicines, chemicals or poisons are stored, sold, vended, given away, compounded, dispensed or manufactured;
5. Administer oaths in all matters pertaining to the affairs of the Board and to take evidence and compel the attendance of witnesses on questions pertaining to the enforcement of the Oklahoma Pharmacy Act;
6. Employ the number of inspectors and/or pharmacist compliance officers necessary to carry out the provisions of the Oklahoma Pharmacy Act at an annual salary to be fixed by the Board, and to authorize necessary expenses. Such inspectors shall have the same powers and authority as that granted to peace officers by the laws of this state for the purpose of enforcing the Oklahoma Pharmacy Act. In addition, such inspectors or pharmacist compliance officers shall have the authority to take and copy records and the duty to confiscate all drugs, medicines, chemicals or poisons found to be stored, sold, vended, given away, compounded, dispensed or manufactured contrary to the provisions of the Oklahoma Pharmacy Act;
7. Prescribe minimum standards with respect to floor space and other physical characteristics of pharmacies, and hospital drug rooms as may be reasonably necessary to the maintenance of professional surroundings and to the protection of the safety and welfare of the public, and to refuse the issuance of new or renewal licenses for failure to comply with such standards. Minimum standards for hospital drug rooms shall be consistent with the **State Department of Health**, Hospital Standards, as defined in OAC 310:667;
8. Examine and issue appropriate certificates of licensure as Doctor of Pharmacy to all applicants who the Board deems are qualified to be such under the provisions of the Oklahoma Pharmacy Act;
9. Investigate complaints, hold hearings and subpoena witnesses and records;
10. Initiate prosecution;
11. Reprimand, place on probation, suspend, revoke or take other disciplinary action and/or levy fines not to exceed Three Thousand Dollars (\$3,000.00) for each count for which any holder of a certificate, license or permit has been convicted in Board hearings. The Board may impose as part of any disciplinary action the payment of costs expended by the Board for any legal fees and costs, including, but not limited to, staff time, salary and travel expense, witness fees and attorney fees. The Board may also require additional continuing education or, including attendance at a live continuing education program, and may require participation in a rehabilitation program for the impaired. The Board may take such actions singly or in combination, as the nature of the violation requires;
12. Adopt and establish rules of professional conduct appropriate to the establishment and maintenance of a high standard of integrity and dignity in the profession of pharmacy. Such rules shall be subject to amendment or repeal by the Board as the need may arise;
13. Perform such other duties, exercise such other powers and employ such other personnel as the provisions and enforcement of the Oklahoma Pharmacy Act may require;
14. Make and publish uniform rules such as may be necessary for carrying out and enforcing the provisions of the Oklahoma Pharmacy Act, Oklahoma drug laws and rules, federal drug laws and regulations, and make such other rules as in its discretion may be necessary to protect the health, safety and welfare of the public;
15. Establish and collect appropriate fees for licenses, permits, inspections and services provided and such fees shall be nonrefundable. Such fees shall be promulgated to implement the provisions of the Oklahoma Pharmacy Act under the provisions of the Administrative Procedures Act;
16. Regulate:
  - a. personnel working in a pharmacy, such as interns and supportive personnel, including technicians,
  - b. interns, preceptors and training areas through which the training of applicants in the practice of pharmacy occurs for licensure as a pharmacist, and
  - c. such persons regarding all aspects relating to the handling of drugs, medicines, chemicals and poisons; and
17. Acquire by purchase, lease, gift, solicitation of gift or by any other manner, and to maintain, use and operate or to contract for the maintenance, use and operation of or lease of any and all property of any kind, real, personal or mixed or any interest therein unless otherwise provided by the Oklahoma Pharmacy Act; provided, all contracts for real property shall be subject to the provisions of Section 63 of Title 74 of the Oklahoma Statutes.

#### **Historical Data**

Laws 1961, HB 655, c. 8, § 7, emerg. eff. May 22, 1961; Amended by Laws 1976, SB 642, c. 83, § 1, emerg. eff. May 3, 1976; Amended by Laws 1982, SB 376, c. 172, § 2, emerg. eff. April 16, 1982; Amended by Laws 1993, HB 1213, c. 199, § 6, emerg. eff. May 24, 1993; Amended by Laws 1997, SB 275, c. 250, § 3, eff. November 1, 1997 ([superseded document available](#)); Amended by Laws 2001, HB 1297, c. 281, § 3, eff. November 1, 2001 ([superseded document available](#)); Amended by Laws 2002, HB 2715, c. 408, § 2, emerg. eff. June 5, 2002 ([superseded document available](#)); Amended by Laws 2004, SB 369, c. 523, § 17, emerg. eff. June 9, 2004 ([superseded document available](#)); Amended by Laws 2009, SB 1181, c. 321, § 6, eff. November 1, 2009 ([superseded document available](#)).

**Citationizer® Summary of Documents Citing This Document**

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**Citationizer: Table of Authority**

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